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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/646,802

Applicant(s)

PUTKIRANTA, PETTERI

Examiner

Huy C. Ho

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 5 and 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The amended claims contain subject matter "separately or distinctly from obligatory location updates performed when roaming in the cells of a cellular radio network", which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Response to Arguments

2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been

obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-4 and 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Granberg et al. (6101387) and further in view of Jean-Gabriel (FR 2711033).

Consider claim 1, (Currently amended) Granberg discloses a communications system having base stations for providing mobile stations with communications links and at least one localized service area (see the abstract, col 1 lines 25-35, where Granberg discusses a mobile communication system comprising base station, mobiles stations and plurality of location areas for providing services to mobile subscribers), comprising:

Granberg discloses a service server which is arranged to maintain information concerning the location of mobile stations in localized service areas and to generate requests for changing the service selection offered to mobile stations in response to receiving, from the mobile stations, mobile station generated messages describing the location of the mobile stations in relation to localized service areas (see figure 2; figure 4 numbers 22; col 6 lines 5-45, col 7 lines 1-15); and

Granberg discloses means for changing the service selection offered to a mobile station by the communications system in response to an indication of the arrival of the mobile station in said localized service area, which indication is a message generated by said mobile station (see the

abstract, col 2 lines 15-30, col 3 lines 40-50, col 6 lines 5-18), separately or distinctly from obligatory location updates performed when roaming in the cells of a cellular radio network (see col 6 lines 5-10).

Granberg does not show separately or distinctly from obligatory location updates. However, it is noticeable that Granberg discusses when a mobile subscriber enters into a new location service area, it sends a registration message to MSC/VLR associated with this new service area (see col 6 lines 5-10). This registration message is an indication of the mobile station's arrival to new area. Jean-Gabriel discloses separately or distinctly from obligatory location updates (see the abstract, pages 4 and 5, the high lighted paragraphs, where Jean-Gabriel discusses communication system comprising base stations and mobile stations, where the system supplying a mobile station with personalized service dependent on geographical location information of the said mobile station. Jean-Gabriel discusses the first message of indication transmitted by the Mobile station indicates localization location of the mobile station approaching in a geographical cell, the second message includes identification information of the mobile station and obtained by Visitor Location Registration VLR, where the location of the mobile is registered).

Since both Granberg and Jean-Gabriel teach location dependent services in cellular system, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Granberg teachings, and have separately or distinctly from obligatory location updates, taught by Jean-Gabriel, to improve the system discussed by Jean-Gabriel (see whole page 1, page 2, see the high lighted paragraphs).

Consider claim 7, (Currently amended) Granberg discloses a method for changing the service selection offered to a mobile station in a communications system that has base stations for providing mobile stations with communications links (the abstract, col 2 line 14-30), comprising the steps of:
receiving from the mobile station a message when roaming in the cells of a cellular radio network (see col 6 lines 5-10), and indicating that the mobile station has detected that it is in the localized service area (col 6 lines 5-18);

generating information about the arrival of a mobile station in a localized service area (col 6 lines 5-30); and

changing the service selection offered to said mobile station by the communications system (col 7 lines 15-35).

Granberg does not show separately or distinctly from obligatory location updates. However, it is noticeable that Granberg discusses when a mobile subscriber enters into a new location service area, it sends a registration message to MSC/VLR associated with this new service area (see col 6 lines 5-10). This registration message is an indication of the mobile station's arrival to new area. Jean-Gabriel discloses separately or distinctly from obligatory location updates (see the abstract, pages 4 and 5, the high lighted paragraphs, where Jean-Gabriel discusses communication system comprising base stations and mobile stations, where the system supplying a mobile station with personalized service dependent on geographical location information of the said mobile station. Jean-Gabriel discusses the first message of indication transmitted by the Mobile station indicates localization location of the mobile station approaching in a geographical cell, the second message includes identification information of the mobile station and obtained by Visitor Location Registration VLR, where the location of the mobile is registered).

Since both Granberg and Jean-Gabriel teach location dependent services in cellular system, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Granberg teachings, and have separately or distinctly from obligatory location updates, taught by Jean-Gabriel, to improve the system discussed by Jean-Gabriel (see whole page 1, page 2, see the high lighted paragraphs).

Consider claim 2, (Previously Presented) Granberg, as modified by Jean-Gabriel, further discloses the communications system of claim 1, comprising:

an application server to provide mobile stations with different services in response to a request generated by the service server for changing the service selection (see figure 4, col 7 lines 1-15).

Consider claim 3, (Previously Presented) The communications system of claim 2, Granberg, as

modified by Jean-Gabriel, further discloses wherein said service server is the same as said application server (see figure 4, col 7 lines 1-15).

Consider claim 4, (Previously Presented) The communications system of claim 1, Granberg, as modified by Jean-Gabriel, further discloses wherein it is adapted so as to change a localized service selection offered to a mobile station in response to a notification sent by the mobile station on its arrival in a localized service area (see the abstract, col 2 lines 15-30, col 3 lines 40-50, col 6 lines 5-18).

Consider claim 8, (Previously Presented) The method of claim 7, Granberg, as modified by Jean-Gabriel, further discloses wherein in response to the information about the arrival of a mobile station in a localized service area a predetermined additional service is offered to the mobile station (see figure 3, col 6 lines 20-45, col 7 lines 25-35, 60-65).

Consider claim 9, (Previously Presented) The method of claim 8, Granberg, as modified by Jean-Gabriel, further discloses wherein said additional service involves the sending of announcements to the mobile station (see figure 3, col 6 lines 20-45, col 7 lines 25-35, 60-65).

Consider claim 10, (Previously Presented) The method of claim 7, Granberg, as modified by Jean-Gabriel, further discloses wherein in response to the information about the arrival of a mobile station in a localized service area the quantity of services offered to the mobile station by the communications system is reduced (see col 2 lines 45-67, col 3 lines 1-2).

Consider claim 11, (Currently amended) The method of claim 7, Granberg, as modified by Jean-Gabriel, further discloses ~~the steps of:~~

communicating a message indicating the arrival of a mobile station in a localized service area to a service server (col 6 lines 20-67, col 7 lines 1-15, 35-67);

checking what services should be offered to the mobile station in that localized service area (col 6 lines 20-67, col 7 lines 1-15, 35-67);

communicating a request for the services to be offered to an application server providing the services (col 6 lines 20-67, col 7 lines 1-15, 35-67); and

providing, by the application server, a service to the mobile station (col 6 lines 20-67, col 7 lines 1-15, 35-67).

Consider claim 12, (Currently amended) The method of claim 11, Granberg, as modified by Jean-Gabriel, further discloses:

~~the step of~~ communicating a request to an application server comprises ~~the step of~~ (see figures 3 and 4, col 6 lines 20-25):

communicating the request for the services to be offered to at least two application servers providing services (col 6 lines 20-67, col 7 lines 1-15, 35-67), and

~~the step of~~ providing, by the application server, a service to the mobile station comprises the step of (see figures 3 and 4, col 6 lines 20-25):

providing, by each application server to which the request for the services to be offered was made, a service to the mobile station (col 6 lines 20-67, col 7 lines 1-15, 35-67).

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Granberg et al. (6,101,387), in view of Jean-Gabriel (FR 2711033) and further in view of Buss et al. (5,539,395).

Consider claim 5, (Currently amended) A cellular mobile station having a control block, comprising:

Granberg discloses recognizing a localized service area on which localized services are controlled by a services server (col 3 lines 18-30, 40-50, col 6 lines 5-17); wherein the mobile station is adapted so as to send a notification of its arrival in the localized service area to the services server in response to the recognition of the localized service area, said notification being intended as an impulse for changing the service selection offered to the mobile station (see the abstract, col 2 lines 15-30, col 3 lines 20-50, col 6 lines 5-45, col 7 lines 1-15),

Granberg does not show separately or distinctly from obligatory location updates. However, it is noticeable that Granberg discusses when a mobile subscriber enters into a new location service area, it sends a registration message to MSC/VLR associated with this new service area (see col 6 lines 5-

10). This registration message is an indication of the mobile station's arrival to new area. Jean-Gabriel discloses separately or distinctly from obligatory location updates (see the abstract, pages 4 and 5, the high lighted paragraphs, where Jean-Gabriel discusses communication system comprising base stations and mobile stations, where the system supplying a mobile station with personalized service dependent on geographical location information of the said mobile station. Jean-Gabriel discusses the first message of indication transmitted by the Mobile station indicates localization location of the mobile station approaching in a geographical cell, the second message includes identification information of the mobile station and obtained by Visitor Location Registration VLR, where the location of the mobile is registered).

Since both Granberg and Jean-Gabriel teach location dependent services in cellular system, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Granberg teachings, and have separately or distinctly from obligatory location updates, taught by Jean-Gabriel, to improve the system discussed by Jean-Gabriel (see whole page 1, page 2, see the high lighted paragraphs).

Granberg, as modified by Jean-Gabriel, does not show memory means adapted so as to store the information in a mobile station. Buss teaches a portable device comprising a memory for storing and retrieval of data (see the abstract, figure 3 number 80).

Since both Granberg and Buss teach location dependent services in cellular system, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Granberg teachings, and have memory means adapted so as to store the information in a mobile station, taught by Buss, to improve the system discussed by Buss (see col 1 lines 15-50).

Consider claim 6, (Previously Presented) The mobile station of claim 5, Granberg, as modified by Buss, discloses wherein said memory means is located in a removable memory unit (col 3 lines 1-20, col 5 lines 15-30).

Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy C. Ho whose telephone number is (571) 270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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